

DRAFT

“Whatsupstream” and Puget Sound

Why does EPA seem to support the “Whatsupstream.com” website, as well as related billboards and radio ads, which raises concerns with the agricultural sector and calls for its further regulation?

- EPA recognizes the major role of farms in the Puget Sound region and the important leadership demonstrated by regional agricultural stewards.
- “Whatsupstream.com” is part of a public outreach and education project developed by the Swinomish Indian Tribal Community (SITC), a subaward recipient of an EPA assistance agreement awarded to the Northwest Indian Fisheries Commission (NWIFC).
- The Northwest Indian Fisheries Commission is the grant administrator with direct oversight of this work. EPA has more limited ability to oversee and intervene with a subaward recipient than when we directly oversee a recipient.
- As stated on the “Whatsupstream.com” website, while EPA funds were used to support development of the website, it does not necessarily reflect EPA views and policies.
- The terms and conditions of the assistance agreement made to the lead organization, NWIFC, included a provision prohibiting sub-awardees from engaging in lobbying activities.
- The website does not encourage support or action on a specific legislative or executive action proposed or pending before the state government.
- EPA noted for the tribe what activities would be legally prohibited, and later our attorneys determined that the tribe’s language encouraging people to engage did not violate the law.
- The purpose of EPA’s assistance agreement to NWIFC is to fund high priority tribal projects that are in or consistent with the Puget Sound Action Agenda and of high tribal priority. The project’s intent, consistent with the goals of the funding program, is to protect salmon by implementing an element of the Skagit Chinook Recovery Plan, an important part of the Puget Sound Action Agenda and a high priority of the SITC.
- EPA continues to urge all entities who have an interest in the health of the Puget Sound ecosystem to work through the Puget Sound Management Conference to protect and restore the ecosystem.

Background on Media and Congressional interest:

- In late March 2016, the *Capital Press*, which describes itself as “The West’s Ag Website,” wrote the first of its several stories about the “Whatsupstream” project.
- Also in late March, the office of WA Congresswoman Cathy McMorris Rodgers began asking for information about the project, which Region 10 has been providing.
- In early April, Chairman Pat Roberts, Senate Committee on Agriculture, Nutrition and Forestry, released a statement characterizing the campaign billboard as “anti-agriculture” and an example of “EPA’s improper practice of encouraging the lobbying of legislators.”